



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HIGHVIEW GLOBAL CAPITAL
MANAGEMENT, LLC,

Plaintiff,

- against -

PHILIP SUN,

Defendant.

Index No. 07 CIV 4642 (JMS)

**STIPULATION OF DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between HIGHVIEW
GLOBAL CAPITAL MANAGEMENT, LLC, plaintiff, and PHILIP SUN, defendant, through
their respective counsel, that the above-entitled action shall be and hereby is dismissed, with
prejudice, pursuant to Fed. R. Civ. P. 41(a), without costs or fees to either party.

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Dated: July 18, 2007

SO ORDERED:  7/19/07

U.S.D.J.